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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF ARIZONA**

8 United States of America, ) Mag. No. 08-3135M  
9 )  
10 Plaintiff, )  
11 )  
12 vs. ) ORDER RE: EXTENDING TIME  
13 ) TO INDICT  
14 Moises Gomez-Jimenes , )  
15 )  
16 Defendant. )  
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15 HAVING considered Defendant's Motion to Extend Time to Indict and good cause  
16 having been shown;

17 THE COURT makes the following findings:

- 18 1. Counsel for defendant has only recently been appointed;
- 19 2. The defendant earnestly wishes to consider the plea offer extended by the  
20 government;
- 21 3. The defendant wishes to investigate possible defenses prior to  
22 considering the government's plea offer;
- 23 4. The government's plea offer, if accepted by the defendant and then the  
24 Court, would likely reduce defendant's exposure to a significant term of  
25 imprisonment;
- 26 5. If the defendant does not timely accept the plea offer prior to  
27 indictment, the government will withdraw said plea offer and any  
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1 subsequent plea offer after indictment would likely be less advantageous  
2 to the defendant;

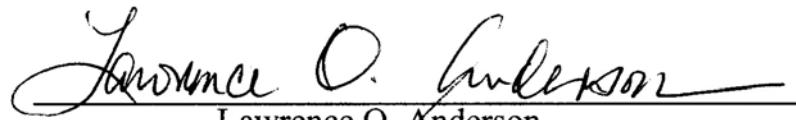
3 6. Failure to extend time for indictment in this instance would thus operate  
4 to bar defendant from reviewing the government's plea offer in a  
5 meaningful way prior to indictment; and

6 7. The ends of justice served by this continuance outweigh the best interest  
7 of the public and the defendant in a speedy indictment.

8 **IT IS HEREBY ORDERED** that defendant's Motion to Extend Time for  
9 Indictment requesting an extension of thirty (30) days within the government may seek  
10 to indict defendant, is hereby granted.

11 **IT IS FURTHER ORDERED** that pursuant to the Speedy Trial Act, 18 U.S.C.  
12 § 3161, the Government shall have an extension of thirty (30) days to file a timely  
13 Indictment. Excludable time shall begin to run on the 31st day after arrest for a period  
14 of thirty (30) days in which the Government may present the case to the grand jury.

15 DATED this 2<sup>nd</sup> day May, 2008.

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18 Lawrence O. Anderson  
19 United States Magistrate Judge  
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